



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

SEP 12 2013

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

Paul R. Fonteyne, President and CEO
Boehringer Ingelheim USA Corporation
900 Ridgebury Road
Ridgefield, CT 06877

Re: Clean Air Act Reporting Requirement

Dear Mr. Fonteyne:

The United States Environmental Protection Agency ("EPA") is evaluating whether the Boehringer Ingelheim Pharmaceuticals' ("Boehringer") facility located at 900 Ridgebury Road in Ridgefield, Connecticut (the "Facility") is in compliance with the Clean Air Act (the "Act") and regulations promulgated under the Act. These regulations include but are not limited to those that are part of the Connecticut State Implementation Plan as well as the National Emission Standards for Hazardous Air Pollutant Emissions, Miscellaneous Organic Chemical Manufacturing ("MON NESHAP"), found at 40 CFR Part 63, Subpart FFFF, and the National Emission Standards for Hazardous Air Pollutants, Chemical Manufacturing Area Sources, found at 40 CFR Part 63, Subpart VVVVVV.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), authorizes EPA to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether a facility is in compliance with the Act and its implementing regulations.

Accordingly, Boehringer must provide the information listed in each numbered paragraph below for the Facility:

1. Beginning with the first calendar quarter following the date of receipt of this Reporting Requirement, conduct and maintain an actual inventory of VOC and HAP-containing chemicals in storage in laboratories at the Facility (i.e., an inventory of the chemicals

remaining on site at the beginning and end of reporting periods). To prepare this inventory, record for each VOC and/or HAP containing chemical:

- a. The quantity of chemical on site at the beginning of the quarter;
- b. The quantity of chemical purchased during the quarter;
- c. The quantity of chemical shipped off-site during the quarter; and
- d. The quantity of chemical remaining on-site at the end of the quarter.

Also maintain data on the mass fraction of VOC or HAP contained in each individual chemical. This information may be determined via laboratory testing or, in lieu of testing, Boehringer may maintain material safety data sheets or other documentation which provides knowledge as to the mass fraction of VOC or HAP in each chemical.

2. Using the information provided in response to question 1 above, perform a mass balance calculation for each individual VOC containing chemical using the following equation:

$$\text{Uncontrolled Quarterly VOC Emissions For Quarter} = \Sigma$$

$$[\text{Mass fraction of VOC in Chemical}] * [(\text{Mass of Chemical On-site at Beginning of Quarter}) + (\text{Mass of Chemical Purchased During Quarter}) - [(\text{Mass of Chemical Shipped Off-site During Quarter}) + (\text{Mass of Chemical Remaining On-site at End of Quarter})]]$$

Then compile this information to determine total uncontrolled emissions of volatile organic compounds ("VOCs") from the facility.

3. Using the information provided in response to question 1 above, perform a mass balance calculation for each individual HAP containing chemical using the following equation:

$$\text{Uncontrolled Quarterly HAP Emissions For Quarter} = \Sigma$$

$$[\text{Mass fraction of HAP in Chemical}] * [(\text{Mass of Chemical On-site at Beginning of Quarter}) + (\text{Mass of Chemical Purchased During Quarter}) - [(\text{Mass of Chemical Shipped Off-site During Quarter}) + (\text{Mass of Chemical Remaining On-site at End of Quarter})]]$$

Then compile this information to determine total uncontrolled emissions of hazardous air pollutants ("HAPs") from the facility.

4. Submit a quarterly emissions report to EPA and CT DEEP, within thirty (30) days following the end of each quarter, summarizing the VOC and HAP emissions associated with laboratory hood emissions from the facility.
5. Finally, submit a quarterly summary emissions report to EPA and CT DEEP within 30 days following the end of each quarter. The report must include a summary of actual VOC and HAP emission associated with all emission units located at the Facility, as referenced in the Facility's General Permit to Limit the Potential to Emit (044-0152-GPLPE, dated 3/24/11). Also note any new pieces of equipment, or the removal of equipment that had previously been referenced in the GPLPE permit application.

Boehringer shall submit its response to:

Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
5 Post Office Sq. Suite 100 (OES04-2)
Boston, Massachusetts 02109-3912
Attn: Joan Jouzaitis, Air Technical Unit

and to:

Mark Potash, Supervising Air Pollution Control Engineer
Connecticut Dept of Energy and Environmental Protection
Bureau of Air Management
79 Elm Street
Hartford, CT 06106-5127

Be aware that if Boehringer does not provide the requested information in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Act, 42 U.S.C. § 7413. Federal law establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emissions data, are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice. Please be aware that states may have different regulations governing the protection of confidential business information.

If you have any questions regarding this Reporting Requirement, please contact Environmental Engineer Joan Jouzaitis at (617) 918-1846, or have your attorney call Senior Enforcement Counsel, Thomas Olivier at (617) 918-1737.

Sincerely,

A handwritten signature in dark ink, appearing to read "Susan Studlien". The signature is written in a cursive, flowing style.

Susan Studlien, Director
Office of Environmental Stewardship

Enclosures

cc: Mark Potash, CT DEEP